

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CLINTON WEBB,)	
ID #415336,)	
Petitioner,)	
vs.)	No. 3:18-CV-1174-N
)	
LORIE DAVIS, Director,)	
Texas Department of Criminal)	
Justice, Correctional Institutions Division,)	
Respondent.)	

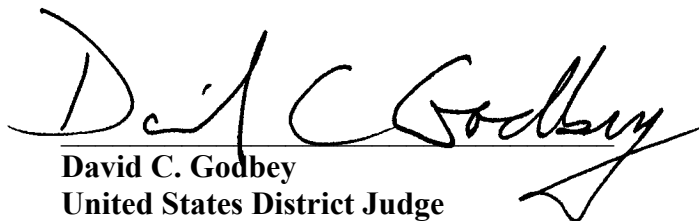
**ORDER OF THE COURT ON RECOMMENDATION REGARDING
REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL**

Considering the record in this case and the recommendation of the Magistrate Judge, the Court hereby finds and orders:

- () The motion for leave to proceed *in forma pauperis* on appeal is GRANTED.
- (X) The motion for leave to proceed *in forma pauperis* on appeal is DENIED for the following reasons:
 - (X) The petitioner is not a pauper. A review of the certificate of inmate trust account shows that he has \$570.70 in funds. It shows that his expenditures in prison since January 2018 have totaled \$58.45. Given this financial information, the Court concludes that the petitioner will not suffer undue financial hardship after payment of the \$505.00 filing fee. *See Prows v. Kastner*, 842 F.2d 138, 140 (5th Cir. 1988).

Although this Court has denied leave to proceed *in forma pauperis* on appeal, the defendant may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). *See* Fed. R. App. P. 24(a)(5).

SIGNED this 20th day of August, 2018.


David C. Godbey
United States District Judge